

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

JEFFREY BELL,

No. 3:15-cv-02176-SB

Plaintiff,

OPINION AND ORDER

v.

UNITED STATES OF AMERICA,

Defendant.

MOSMAN, J.,

On August 29, 2017, Magistrate Judge Beckerman issued her Findings and Recommendation [93] (F&R), recommending that pro se Plaintiff's Motions for Summary Judgment [62] and [87] be DENIED. Judge Beckerman also recommended that Defendant's Motion to Strike [74] be DENIED AS MOOT, and that Plaintiff's Motion to Quash [81] be DENIED AS MOOT. Plaintiff filed a response to the F&R that indicated he did not object [95].

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court

is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon review, I agree with Judge Beckerman's recommendation and I ADOPT the F&R [93] as my own opinion.

IT IS SO ORDERED.

DATED this 22 day of September, 2017.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
Chief United States District Judge